

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 993 House Bill No. 830

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 33-5-101, is amended by designating the existing language as subsection (b) and adding the following language and designating it as subsection (a):

(a) Any parent, guardian, or conservator of a person with mental retardation, or a competent person with mental retardation (referred to below as the parent, guardian, or other applicant) may apply to the department through its regional office of community services or other designated entity to make available for such person with mental retardation an appropriate service. The regional office of community services or other designated entity must inform the parent, guardian, or other applicant about all options for services for the individual with mental retardation. If the regional office of community services or other designated entity determines that the service applied for is not available or suitable, the regional office of community services or other designated entity must provide to the parent, guardian, or other applicant, in writing, (1) the basis on which the regional office of community services or other designated entity relies for the determination and (2) the identification of appropriate service options for the person with mental retardation as well as the time estimated for provision of such service. If the parent, guardian, or other applicant disagrees with the recommendations of the regional office of community services or other

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designated entity, he may request review by the commissioner. The commissioner may delegate responsibility for the review to the assistant commissioner for mental retardation services. The commissioner or the assistant commissioner for mental retardation services must review the recommendation of the regional office of community services or other designated entity and may meet with the parent, guardian, or other applicant and representatives of the regional office of community services or other designated entity before preparing a written statement of findings. The commissioner or the assistant commissioner for mental retardation services must issue the written statement of findings to the parent, guardian, or other applicant within fifteen business days after such meeting or receipt of the request for review, whichever is later.

SECTION 2 . This act shall take effect upon becoming a law, the public welfare requiring it.